

OCT 28 2004  
PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

JRW AF

## AMENDMENT TRANSMITTAL LETTER

Attorney Docket No.  
06005/37770

Application No. 10/042,979	Filing Date January 9, 2002	Examiner Tsai, Carol SW	Art Unit 2857
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Applicant: John P. Dilger

Invention: DIAGNOSTIC APPARATUS AND METHODS FOR A CHEMICAL DETECTION SYSTEM

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	17	- 23 =		x	
Independent Claims	7	- 7 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

Large Entity

Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 13-2855  
as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Brent E. Matthias

Dated: October 25, 2004

Brent E. Matthias  
Attorney Reg. No.: 41,974

MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 25, 2004

Signature: Brent E. Matthias (Brent E. Matthias)



Attorney Docket No.: 06005/37770  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

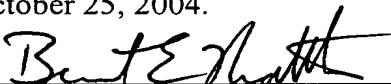
APPLICANT: John P. Dilger

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APPLICATION NO.: 10/042,979

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AF, Commissioner for Patents P.O. Box  
1450, Alexandria, Virginia 22313-1450 on  
October 25, 2004.

FILED: January 9, 2002



FOR: DIAGNOSTIC APPARATUS  
AND METHOD FOR A CHEMICAL  
DETECTION SYSTEM

Brent E. Matthias  
Registration No.: 41,974  
Attorney for Applicant

EXAMINER: Tsai, Carol SW

ART UNIT: 2857

**AMENDMENT AND RESPONSE AFTER FINAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Final Office action mailed on August 24, 2004. The date two months after the mail date of the Final Office action (i.e., October 24, 2004) fell on a Sunday, and this paper is submitted on the next succeeding day that is not a Saturday, Sunday, or a Federal holiday. Accordingly, applicant respectfully requests that this paper be considered filed within two months of the mailing date of the Final Office action.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this Amendment.

The **Remarks** section begins on page 11 of this Amendment.